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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/898,795	07/03/2001	Douglas J. Murray	BAO-0021	1868

7590 03/17/2003  
CANTOR COLBURN LLP  
55 Griffin Road South  
Bloomfield, CT 06002

EXAMINER

THOMPSON, KENNETH L

ART UNIT	PAPER NUMBER
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3679

DATE MAILED: 03/17/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/898,795

Applicant(s)

MURRAY, DOUGLAS J.

Examiner

Kenn Thompson

Art Unit

3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2002 and 19 December 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 11-23 and 25-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11-23 and 25-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 11-23 and 25-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Baugh et al., 5,335,737.

Regarding claim 11, Baugh et al. discloses in figures 1-2 a multilateral reference point sleeve. Baugh et al. discloses a tubular member (16) configured to be received in a casing of a wellbore (14). Baugh et al. discloses the tubular member having an uphole end (80) and a downhole end (30,10,34). Baugh et al. discloses the uphole end defines an orientation profile (18).

As to claim 12, Baugh et al. discloses the orientation profile having an orientation opening (center bottom of 18).

As to claim 13, Baugh et al. discloses the opening is a slot.

As to claim 14, Baugh et al. discloses a surface (18 at 14) of the orientation profile is positioned proximate the wellbore casing.

As to claim 15, Baugh et al. discloses orientation slot extends along a wall of the tubular member from the orientation profile (col. 5, lines 24-26) and is configured to receive a pin (114) on a separate tool (100) to orient the separate tool.

As to claim 16, Baugh et al. discloses the tubular member is anchorable within the wellbore (via 70).

As to claim 17, Baugh discloses the downhole end of the tubular member is radially expandable to engage an inner surface of the casing (col. 4, lines 54-57).

As to claim 18, Baugh discloses the downhole end of the tubular member (30) has a lesser thickness than the uphole end of the tubular.

Regarding claim 19, Baugh discloses in figures 1-2 a method for orientating a tool (100) in a wellbore (14). Baugh discloses running a multilateral reference point sleeve (16) into a tubing string in a wellbore. Baugh discloses anchoring (via 70) the multilateral reference point sleeve to an inner surface of the casing (14). Baugh discloses running the tool (100) into the casing. Baugh discloses causing a pin (114) on the tool (100) to engage an orientation profile (18) on the multilateral reference point sleeve.

As to claim 20, Baugh discloses causing the pin (114) on the tool to engage an orientation opening (lower center of 18) on the orientation profile (18).

As to claim 21, Baugh discloses the opening is a slot.

As to claim 22, Baugh discloses that causing the pin on the tool to engage the orientation profile rotates the tool into a desired orientation (col. 5, lines 24-26).

As to claim 23, Baugh discloses that causing the pin of the tool to engage the orientation slot causes the tool to be retained in position (col. 5, lines 26-31).

Regarding claim 25, Baugh discloses a tubular member (16) configured to be received in a casing of a wellbore (14). Baugh discloses the tubular member having an uphole end (80) and a down hole end (30,10,34). Baugh discloses the uphole end defines an orientation

profile (18) configured to cause a pin (114) on a separate tool (100) to ride along the orientation profile causing the separate tool to orientate (col. 5, lines 24-31).

As to claim 26, Baugh discloses running a multilateral reference point sleeve (16) into a tubing string in a wellbore. Baugh discloses expanding the multilateral reference point sleeve to achieve an interference fit with an inner surface of the casing to permanently anchor the multilateral reference point in the wellbore (col. 3, lines 60-64; permanent in that it is lasting or remaining without essential change). Baugh discloses running the tool (100) into the wellbore. Baugh discloses causing the pin on the tool to engage an orientation profile (col. 5, lines 24-26) on the multilateral reference point sleeve such that the tool is oriented by an interaction between the pin and the orientation profile.

As to claim 27, Baugh discloses the opening is an orientation slot.

As to claim 28, Baugh discloses that causing the pin of the tool to engage the orientation slot causes the tool to be retained in an orientated position (col. 5, lines 26-31).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenn Thompson whose telephone number is 703 306-5760. The examiner can normally be reached on 7:00 am - 4:30 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne H Browne can be reached on 703 308-1159. The fax phone numbers for the organization where this application or proceeding is assigned are 703 305-7687 for regular communications and 703 305-7687 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 308-2168.

KT  
March 12, 2003

  
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